**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE KURIAN JOSEPH**

**MONDAY, THE 26TH NOVEMBER 2007 / 5TH AGRAHAYANA 1929**

**WP(C).No. 22775 of 2004(J)**
**----------**

**PETITIONERS:**
**----------**

**1. MANOHARAN NAIR,**
**PROPRIETOR, APPOLO MEDICALS, KARIVELLUR P.O.,**
**KANNUR DISTRICT.**

**2. PADMINI RAVINDRAN,**
**PHARMACIST, APPOLO MEDICALS, KARIVELLUR P.O.,**
**KARIVELLUR, KANNUR DISTRICT.**

**BY ADV. SRI.M.SASINDRAN**
**SRI.TOJAN J. VATHIKULAM**

**RESPONDENTS:**
**----------**

**1. UNION OF INDIA,**
**REPRESENTED BY UNDER SECRETARY,**
**MINISTRY OF LAW AND JUSTICE, NEW DELHI.**

**2. THE SECRETARY IN CHARGE OF**
**CUNSUMER AFFAIRS, GOVERNMENT OF INDIA, NEW DELHI.**

**3. STATE OF KERALA,**
**REPRESENTED BY CHIEF SECRETARY, SECRETARIATE,**
**THIRUVANANTHAPURAM.**

**4. THE STATE CONSUMER DISPUTES REDRESSAL**
**COMMISSION, REPRESENTED BY ITS SECRETARY,**
**THIRUVANANTHAPURAM.**

**5. A.V.PUSHPALATHA,**
**VADAKKUMBAD, PALAKKUNNU, POST KARIVELLUR, KANNUR.**

**BY ADV. SRI.M.THAMBAN**
**ADV. SRI. PARAMESWARAN NAIR, ASST. S.G.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/11/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**WP(C) NO: 22775/2004 J**

**APPENDIX**

**PETITIONER'S EXHIBITS**

**EXT.P1. COPY OF THE ORDER IN OP NO. 233/00 DT. 9/3/04.**

**EXT.P2. COPY OF THE APPEAL MEMORANDUM DT. 22/5/04.**

**EXT.P2A. COPY OF THE STAY PETITION DT. 22/5/04.**

**EXT.P3. COPY OF THE DEMAND DRAFT TAKEN IN FAVOUR OF THE SECRETARY CONSUMERS DISPUTES REDRESSAL FORUM.**

**EXT.P4. COPY OF THE ENDORSEMENT MADE BY THE STATE FORUM ON THE APPEAL**

**RESPONDENT'S EXHIBITS** **NIL.**

*True copy*

*tga*

**KURIAN JOSEPH J.**

**----------**

**Writ Petition (Civil) No.22775 of 2004**

**----------**

**Dated 26th November, 2007.**

**J U D G M E N T**

Petitioners approached this court praying for a direction to the 4th respondent Appellate Forum to number the appeal, even without remitting the amounts as ordered by the District Forum. It is submitted that during the pendency of the appeal, the amounts have been remitted. There is also an interim order to number the appeal. In that view of the matter, it is not necessary for this court to go into the other legal contentions.

The writ petition is hence disposed of leaving open the contentions. There will be a direction to the 4th respondent to consider Ext.P2 appeal on merits expeditiously.

**KURIAN JOSEPH, JUDGE.**

**tgs**